

## REMARKS

Applicant respectfully requests reconsideration of the subject application as amended. In response to the Office Action mailed 01/29/04, Applicant is submitting this amendment with the filing of an RCE. Please cancel claims 19, 30, 31, 46 and 48. Please amend claims 1-18, 20-29, 32-45 and 47. Accordingly, claims 1-18, 20-29, 32-45 and 47 are pending.

In the Office Action mailed 1/29/04, the Examiner has rejected claims 1-48 under 35 U.S.C. §102(e) as being anticipated by Yang (U.S. Patent 6,467,002). The Examiner continues to base the rejection on the argument that the arbiter 101 of Yang is a distributed arbiter, since it distributes accesses to each of the devices to gain accesses of the bus 199.

Applicant submits that the amended claims of this application now distinguish over Yang. Yang discloses a method and system for priority arbitration in which a shared device 199 receives access requests from devices 110, 120, 130, 140 (see Figure 1A-1C of Yang). An arbiter 101 determines the order in which the requesting devices is granted access (col. 5, lines 5-11). Specifically, “[i]n computer environment 100 of Fig. 1C, arbiter 101 determines the order in which the requesting devices is granted access to shared bus 199B based on a priority arbitration scheme...” (col. 5, lines 5-8). Further more, an arbitration circuit 102 (Figure 1D) is included within arbiter 101 of Figure 1A (col. 5, lines 35-37).

In regards to the arbitration circuit 102:

*“Arbitration circuit 102 also comprises a detection module 106 which is coupled to priority assignment module 104 and also to the multiple devices. Detection module 106 is adapted to detect service request(s) issued by the devices and to identify those devices issuing the service request(s) as requesting devices. Moreover, arbitration circuit*

*102 further comprises an arbitration module 108 which is coupled to detection module 106 and also to the multiple devices. ...[A]rbitration module 108 determines the order in which the requesting devices is granted access to shared resource 199A (Fig. 1A) based on a priority arbitration scheme ... whenever multiple devices among the multiple devices simultaneously request access to shared resource 199A.” (col. 5, lines 21-35).*

Accordingly, the arbiter in Yang is a centralized arbiter determining the arbitration for the devices requesting arbitration of the shared resource. The embodiments of the present invention, as now recited in the amended claims, claim a distributed arbiter and not a centralized arbiter. The claimed distributed arbiter maintains order of priority in relation to other agents arbitrating for the bus and determines if the respective agent wins arbitration. The claimed arbiter is distributed in that it decides if it wins arbitration, but it does so without determining which other agent wins arbitration. That is, the claimed arbiter does not determine which other agent wins arbitration. The central arbiter of Yang does not disclose the claimed elements of the amended claims.

Accordingly, Applicant respectfully requests the Examiner to withdrawal the rejections based on 35 U.S.C. §102(e) and further requests for the allowance of pending claims 1-18, 20-29, 32-45 and 47, as amended.

Since this response is being submitted within the first extension period, Applicant is submitting a petition to respond in the first month of the extension period. An extension fee payment and statement is included with this submission. However, if there are any fee shortages related to this response, please charge such fee shortages to Deposit Account No. 50-2126.

Respectfully submitted,

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CERTIFICATE OF MAILING

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

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